

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	8:08CR398
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
LAZELLE RIGGINS,	)	
	)	
Defendant.	)	

This matter is before the court on the motion for an extension of time by defendant Lazelle Riggins (Riggins) (Filing No. 22). Riggins seeks an extension of time in which to file pretrial motions. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

Defendant Riggins's motion for an extension of time (Filing No. 22) is granted. Riggins is given until **on or before January 23, 2009**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **January 13, 2009 and January 23, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 13th day of January, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge